

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

THOMAS B. KIRKHART and  
CYNTHIA D. KIRKHART, his wife,

Plaintiffs,

v.

Civil Action No. 5:06CV21  
(JUDGE STAMP)

PPG INDUSTRIES, INC., a corporation, et al,

Defendants.

**ORDER SETTING EVIDENTIARY HEARING AND ARGUMENT**

An evidentiary hearing and argument on Motion to Compel<sup>1</sup> shall be held **Tuesday, December 18, 2007, at 3:00 p.m.**, in the Magistrate Judge Courtroom, Room 433, Fourth Floor, United States Courthouse, Twelfth and Chapline Streets, Wheeling, West Virginia.

The Court will permit any out-of-town lawyers having their offices more than forty miles from the point of holding court where the hearing is scheduled to participate in the proceeding by telephone. Prior to the proceeding, any such lawyer seeking to appear by telephone, shall:

1. Inform all counsel and pro se parties of their appearance by telephone;
2. Confer with other out-of-town counsel and pro se parties to determine if they wish to appear by telephone;
3. Advise the Court of the name of the lawyer initiating the conference call, and all such lawyers appearing by telephone; and

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<sup>1</sup> Doc. No. 105.

4. Initiate one timely conference call, with such lawyers to (304)233-1348, at the time of the scheduled proceeding.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: December 6, 2007

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE